

### **Remarks**

Reconsideration of the present application in view of the present amendment and remarks is respectfully requested.

Claims 1-6, 10, 12-20, 24, 26-30, and 32-36 have been rejected under 35 U.S.C. § 102(e) as being anticipated by US 2006/0005310 A1 to Nakamura, hereinafter “*Nakamura*.” For a reference to receive the PCT priority date under 35 U.S.C. 102(e), the international application must designate the United States and be published in the English language. The international application for *Nakamura*, PCT/JP03/11255, was published in Japanese and therefore does not constitute prior art under 35 U.S.C. 102(e). The 35 U.S.C. § 102(e) date, if applicable, is the U.S. national phase entry date of March 2, 2005.

Accordingly, Applicant respectfully submits that claims 1-6, 10, 12-20, 24, 26-30, and 32-36 are not anticipated by *Nakamura* and requests withdrawal of the 35 U.S.C. § 102(e) rejection of said claims.

Claims 1-6, 10, 12-19, 24, and 26 have been rejected under 35 U.S.C. § 102(b) as being anticipated by JP 2001220805 to Miyagami, herein after “*Miyagami*.” Applicant has amended claim 15 and asks that the Examiner reconsider patentability of the outstanding claims in view of the following remarks.

The present claims, as amended, relate to a drain socket comprising a straightening vane provided upstream of the siphon inducing region and extending inward. *Miyagami* teaches a drain socket with a non-choking portion (74 in Figs. 9 and 10) with wall surfaces 76a and 76b (Fig. 10). These flat wall surfaces are not the same as the straightening vane claimed in the present invention, which have a finite thickness and project inwardly into the channel.

Accordingly, Applicant respectfully submits that claims 1-6, 10, 12-19, 24, and 26 are not anticipated by *Miyagami* and requests withdrawal of the 35 U.S.C. § 102(b) rejection of said claims.

Claims 7-9, 11, 21-23, 25, and 31 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over *Nakamura*. As described above, *Nakamura* is not considered prior art under 35 U.S.C. 102(e). Accordingly, Applicant respectfully submits that said claims are patentable under 35 U.S.C. § 103(a) and requests the withdrawal of the rejection of claims 7-9, 11, 21-23, 25, and 31.

Claims 7-9, 11, 20-23, 25, and 27-36 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over *Miyagami* in view of JP 08326136 to Yosuke, herein after "*Yosuke*." Applicant has amended claim 15 and asks that the Examiner reconsider patentability of the outstanding claims in view of the following remarks.

Claims 7-9, 11, 20-23, and 25 relate to a drain socket having a straightening vane. As described above, *Miyagami* does not teach a straightening vane, but rather a wall surface 76a (Fig. 10). *Yosuke* also does not teach a straightening vane, therefore the combination of *Miyagami* and *Yosuke* do not render the present invention obvious. Claims 27-36 relate to a drain socket connecting an outlet of a trap drainage channel and an eccentrically located drain pipe, the drain socket having a deflector plate extending inward from the inner wall of a channel expansion section. Neither *Miyagami* or *Yosuke* teach a drain socket including a deflector plate.

Accordingly, Applicant respectfully submits that claims 7-9, 11, 20-23, 25, and 27-36 are patentable over *Miyagami* and *Yosuke* and requests the withdrawal of the 35 U.S.C. 103(a) rejection of said claims.

Reconsideration and reexamination of the application is respectfully requested. Applicant has made a genuine effort to respond to each of the Examiner's objections and rejections in advancing the prosecution of this case. Applicant believes that all formal and substantive requirements for patentability have been met and that this case is in condition for

allowance, which action is respectfully requested. If any additional issues need to be resolved, the Examiner is requested to telephone the undersigned at his convenience.

The Commissioner is hereby authorized to charge any fees or credit any overpayments as a result of the filing of this paper to Deposit Account No. 02-3978.

Respectfully submitted,

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